Secrl. IL-27—100,000—21-5-48.

Dev (1948) Department.

Mis SERIES.

G.O. No. 3691

Dated 10-1-48

[Despatch Abstract.]

Labour - Textile mills - Recommendations of Wage Board and Standardisation Committee Constitution of Industrial Tribunal with Mr. Sabadra M.Venkataramayya as its sole member to pass orders on the recommendations of the Wage Board and Standardisation Committee Ayyar - Received.

Development Department.

Sub:- Labour - Textile mills - Wage Board and Standardisation Committee - Constitution of and Industrial Tribunal to pass orders on the recommendations of the Wage Board and Standardisation Committee

Ref:- Letter from the Commissioner of Labour No.C.4. 6635/47 dated 17- 10 - 47.

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To. A.S.

The Industrial Tribunal constituted to enquire into t he conditions of labour in the textile mills of the Province recommended the constitution of a wage beard for determining the wage structure for different categories of workers in the textile mills and of a standardised occupational nomenclature for all the textile mills in the Province. The Government have accepted the recommendation and appointed a wage board and stadardisation committee. With a view to check the frequent occurence of strikes and lockouts, the Commissioner of Labour recommends that Sri Rao Bahadur M.Venkataramayya, Retired District and Sessions Judge, may be appointed as an Industrial Trinunal for the textile industry to examine and pass an award on the recommendations of the wage beard and stadardisation Committee.

2. It is doubtful whether an industrial tribunal can be constituted for passing orders on the recommendation of the wage board and stadardisation committee. As the wor and the managements of textile mills are not likely to accept the recommendations of the wage board and standardisation committee, an industrial dispute is likely to arise orver their recommendations of the wage board and standardi sation committee and under section 10(1)(c) an apprehended dispute may be referred for adjudication. As the previous dispute between the workers and managements of the textile mills has ended with the enforcement of the award, a new industrial tribunal may be constituted for adjudicating th apprehended dispute. A draft order is submitted for appro It may be sent to Legal for scrutiny.

Sd.....
5-11-47.

I shall be glad to discuss this with an officer of the Development or Labour Department.

Sd.....
6-11-47.

Development Department.

Discussed with Joint Secretary Legal.

The Joint Secretary considers that till the reports of the Wage Board and Standardisation Committee published, there cannot be said to be any dispute and we therefore constitute a Tribunal for an apprehended disput on what is not known. If however a Tribunal is constitut to go into the questions referred to the Wage Board and Standardisation Committee, he thinks that it will not be bound by the recommendations of the Board or the Committee. He therefore considers it better to wait till the reports are published and then constitute a Tribunal.

It does not also appear possible for the

Tribunal to appoint the Wage Board and the Standardisation Committee as assessors under Section 11 (5) of the Industrial Disputes Act as the consent of all parties to the dispute is necessary for such a course.

Perhaps the question of constituting a Tribunal may be considered after the reports of the Wage Board and Standardisation Committee are published.

Sd xx xx xx xx xx
13-11-47.

We do not propose to institute a separate Tribunal. The old Tribunal suggested the constitution of the wage Board and the Standardisation Committee. Can they not submit their recommendations to the same Tribunal, who could give them legal authority ? Without such Legal lacking, we may not be asked to enforce the decision.

Sd.....
13-11-47.

Legal Department.

I am afraid that it is not open to the Government to adopt the course suggested at M above. The old Tribunal became functus offcio when it pronounced its decision. The old Tribunal cannot therefore function now; unless a fresh reference is made, nothing can be done.

There will be no difficulty in giving legal authority to so much of the recommendations of the Wage Bo and Standardisation Committee as may be upheld by the New Tribunal. The only question now is when this Tribunal should be set up. I suggest that this may be done very soo after the publication of the recommendations of the Board and the Committee. It is not legally permissible to set up the Tribunal before such publication. A dispute cannot be reasonably "apprehended" in respect of the implementing of recommendations before they have become known to the parties concerned.

Sd.....
14-11-47.

May lie over till 1-4-48.

Coly keep this open ?

Sd.....
17-2-48.

Query on page 3 above :- The papers may be recorded in a/G.O. for reference in future.

Sd.....
2-3-48.

G.O.No.3691, dated 10-7-48.

LABOUR - Textile Mills - Recommendations of Wage Board and Standardisation Committee Constitution of Industrial Tribunal with Rao Bahadur M.Venkataramayya as its sole member, to pass orders on the recommendations of the Wage Board and Standardisation Committee -Papers Recorded.

/True copy/

Superintendent,
Madras Record Office.

20/7.